

Minutes: Leesburg Planning Commission November 2, 2000

The Leesburg Planning commission met in regular session on Thursday, November 2, 2000 at 7:00 p.m. in Council Chambers, 25 West Market Street, Leesburg, VA. Members present for this meeting were: Chairman G. Glikas, Vice-Chairman C. Vaughan, Commissioners: C. Cable, D. Kennedy, and K. Umstattd, and L. Schonberger, L. Werner. Absent was: K. Kearns. Staff members present for the meeting were: Mike Tompkins, Brian Boucher, Delane Parks, and Jennifer Moore.

Minutes:

October 19, 2000 – Commissioner Cable stated that she had several issues with the minutes, she stated that many things that she said were omitted that she believed to be important. She stated that she would make the necessary changes and forward them to the Clerk to be revised.

Petitioners:

None

Councilmanic Report:

Councilmember Umstattd stated that the formal ground breaking for Shenandoah University's new Leesburg campus was the morning of November 2nd and was very well attended.

Councilmember Umstattd stated that the Royal Self Storage project is now before Council and several Council members are echoing concerns that first came up at the Planning Commission public hearing. The concern is whether the use is compatible for that parcel of land.

Councilmember Umstattd stated that the Council voted earlier in the week to require Special Exceptions for any major public utilities in the I-1 district, which is in compliance with what the Planning Commission recommended.

Councilmember Umstattd also reported that Leesburg Commons had planned to have a work session discussion at Council this week, chose to delay the project because they are working on amending their application.

Public Hearings:

None

Subdivision and Land Development Plan:

A. International Pavilion, Parcel B5.

Delane Parks, Planner II, stated that this is a preliminary development plan which the Planning and Engineering Departments have reviewed and been able to recommend conditional approval. He stated that the project proposes to construct approximately 100,000 square feet of retail and 50,000 square feet of office.

Chairman Glikas stated that he is deeply concerned about the transportation issues along Fort Evans Road. Mr. Parks stated that he would like to defer that question to Mr. Paul Gauthier, Chief of Plan Review in the Engineering and Public Works Department for the Town.

Commissioner Werner stated that she has the same concerns regarding traffic and she also has a question about the alignment of one of the entrances.

Commissioner Schonberger stated that he would like the staff to elaborate on their comments that stated, "that the applicant agrees to redesign the site in general conformance with the General Development Plan, and decrease density if necessary."

Commissioner Cable stated that Mr. Parks had mentioned that all of the applications are interrelated and wanted to know if all of the parking structures are stand alone or if they would be shared. Mr. Parks stated that they stand-alone. She asked how the parking requirement is determined. Mr. Parks stated that the staff takes general uses and determines the parking requirement.

Mr. Gauthier came forward to speak. Mr. Gauthier stated that the applicant has provided the staff with a traffic study and the study met all of the Town's requirements. He stated that the staff looks at Fort Evans Road in terms of the future and that ultimately it will be a four lane divided road way. Mr. Gauthier stated when you drive past the water tank the road is half in the Town and half in the County and the County has proffers for the north two lanes.

Mr. Gauthier stated that the scale of development for this project is rather intense, however, he does want to remind the Commission that it is a by right use and as far as the preliminary review goes, it meets all of the requirements of the Town.

Mr. Gauthier stated that he would like to address Commissioner Schoenberger's comment about decreasing the density. He stated that for example if the entrance doesn't work or the traffic signal goes up and it doesn't work, the applicant is always free to decrease the density to bring the traffic generation down to the point where it would work.

Chairman Glikas asked what the time frame would be for completion of Fort Evans Road. He is concerned where the “bottle neck” will occur. Mr. Gauthier state that when the 2020 Traffic Model was done, it was modeled with all of this development one it and the road works and meets the level of service. Mr. Gauthier stated that he does not now at this point how the road will be phased it will come with development.

Commissioner Werner asked how the road would end. Mr. Gauthier stated that the road would transition back to the existing road.

Councilmember Umstattd asked if crosswalks would be provided. Mr. Gauthier stated that if it is determined that a need exists for them then they will be provided.

Commissioner Vaughan stated that he is concerned that these parking areas come together without a defined road system to support them. Mr. Gauthier stated that no plan would be approved unless it meets the ordinances of the Town. Commissioner Vaughan suggested that the Ordinance might need to be changed. Mr. Gauthier stated that if that is the wish of the Planning Commission then staff could prepare a change to the Ordinance and submit it to Council. Mr. Gauthier also stated that parking lots and on-site parking are held to a lower standard than public roads.

Commissioner Cable stated that on the plans it is noted that a traffic signal design would be provided by the applicant if necessary and would like to know about the cost of installation. Mr. Gauthier stated that the plan would be reviewed and approved according to Virginia law. She asked if a specific condition should be placed on the application. Mr. Gauthier stated that he did not believe that on would be needed.

Commissioner Schonberger asked if the applicant indicating that they would meet the requirements had submitted a letter.

Commissioner Kennedy stated that he believes that the Town should provide sidewalks from this area all the way down to the Route 15 bypass. Chairman Glikas stated that he understands Commissioner Kennedy’s concerns, but the Commission needs to keep in mind that pedestrian traffic on Route 15 is not permitted.

A motion was made for approval of the application subject to satisfactory resolution of the items listed in the letter from the applicant.

Commissioner Vaughan stated that he would like to have an overview of the ultimate design of the intersection of Fort Evans Road and Route 15, however, not as part of this application. Mr. Gauthier stated that ultimately the goal is that the signal at that intersection goes away, and it is essential that Battlefield Parkway be completed.

Commissioner Schonberger asked what the motion was that was made. He stated that it needs to be made clear in the motion that approval is conditioned upon satisfactory resolution of the issues as agreed to in writing by the applicant.

Commissioner's Werner and Cable stated that that was clearly their intention.

The motion was seconded and approved with all voting aye, including the Chair.

B. International Pavilion, Parcel B6.

Mr. Parks stated that in this case the proposal is for 100,000 square feet of retail and 27,000 square feet of office. He stated that the one distinction is that this is the first phase and has to take place before the other two can occur because of the entrance access and the storm water management.

Mr. Parks stated that staff has recommended conditional approval by both Engineering and Planning. He stated that there was some concern about providing evidence of approval for grading that apparently had occurred on the site. He stated that the applicant, as a condition would need to show the staff that there was an approved grading permit for the work that had been done.

Commissioner Vaughan stated that this is a major part of the Town and as it develops the Commission should be very conscious of the traffic patterns that support this development and the Town should look at the total development as a system and other properties developed along Fort Evans Road.

Commissioner Cable stated that she is still confused about the parking; she stated that the planning review comments indicate a need for 130 parking spaces and only 92 are provided. Mr. Parks stated that based on the square footage of the building it requires 130 parking spaces, however what the staff tries to achieve when looking at parking spaces is not just the number of required parking spaces, but where they would be in relation to the parking structure. Mr. Parks stated that what staff was trying to achieve was to have the parking spaces for building one be more convenient to building one.

Commissioner Cable asked if the staff had requested that the applicant relocate 38 parking spaces more convenient to building one. Mr. Parks stated that that is correct. Commissioner Cable stated she is uncomfortable approving a preliminary plan that shows a footprint and location of parking when that may not be what the parking will look like. Mr. Parks stated that there are competing issues, if this is taken as one issue and say that it is less important than the internal traffic flow, he stated that if they tried to provide more convenient parking spaces to building one and shifted building two back, that affects other issues that might make it a less desirable internal traffic flow.

Commissioner Cable stated that she would like to see what the parking would look like and what the effect would be on the remaining buildings. Mr. Parks stated that the applicant's engineer is at the meeting and he may be able to shed some light on the issues. Mr. Parks stated that the applicant has agreed to make a change as indicated in the letter of agreement.

Chairman Glikas stated that traffic flow is an issue that has been continuously overlooked and he believes that it needs to be addressed.

Commissioner Cable stated that she would like to see a plan showing the redesign as well as an overhead that would show the actual traffic flow.

Chairman Glikas stated that he would like to have the applicant agree to bring Parcel B-6 back before the Commission.

Commissioner Schonberger stated that if all of the applications are tied together and the Commission wants to see how it flows, there is a general condition that the applicant redesigns in accordance with the approved Preliminary Development Plan that applies to Parcel B5. It is his belief that all three applications be brought back before the Commission, and it may be necessary to reconsider the recommendation given to Parcel B5.

Mr. Steve Roland with Bowers and Associates, representative for the applicant came forward to speak. He stated that he would have to confer with his client about what changes need to be made and he is willing to come back before the Commission at their next meeting.

Commissioner Schonberger asked what the deadline is on this application for action by the Commission. Mr. Mike Tompkins, Director of Planning, Zoning and Development for the Town of Leesburg stated that it is his understanding that Mr. Roland agreed to bring the application back before the Commission thereby extending the deadline for actions.

A motion was made to reconsider the previous motion to approve conditionally Parcel B5.

The motion was seconded and approved with all voting aye, including the Chair.

Mr. Tompkins stated that the applicant's representative will need to state for the record that he is willing to have Parcel's B5, B6 and B7 come back before the Commission for review. Mr. Roland did so for the record.

Commissioner Schonberger requested that the Commission review Parcel B7 to see if there are any concerns that the applicant needs to address prior to the next submission.

C. International Pavilion, Parcel B7.

Mr. Parks stated that this is again a combination of retail and office. Approximately 95,000 square feet of retail and approximately 5,000 square feet of office. He stated that staff is again recommending conditional approval for this application.

Commissioner Schonberger stated that the first page of his planning review comments were not included in the packet and with his work load was not able to contact the staff to request a copy.

Councilmember Umstattd asked if the second story of Building 2 on Parcel B7 would be used for something other than office. Mr. Roland stated that the majority would be retail.

Commissioner Schonberger stated that under the staff comments it states that the applicant must provide adequate frontage improvements to stand alone or provide an overall plan and would like to know which the applicant plans to provide. Mr. Gauthier stated that each plan has to provide adequate frontage improvements and the way that it is set up they are interconnected and the applicant could provide a plan to do just the frontage improvements by themselves or they could do each one separately.

D. Potomac Station Revision Approved Preliminary Subdivision Plat

Mr. Parks stated that the Preliminary Subdivision Plat was approved and the staff has been reviewing the construction drawings and final plats and during that process one of the staff from the Planning, Zoning and Development Department observed the fact that several of the lots in Section 8A, because of their unusual shape, did not meet the lot width requirements from the front setback line to the rear setback line. Mr. Parks stated that staff has determined that the best course of action to rectify the problem is to go back to the approved Preliminary Plan and add a note onto the sheet that refers to those lots that states that the applicant agrees to increase the rear yard setback line so that the width between the front and the rear yard setback could be achieved.

Commissioner Cable asked if the plat before the Commission reflected the change. Mr. Parks stated that it does.

Commissioner Cable stated that she still is not clear on what is being asked.

Commissioner Schonberger stated that it appears that the minimum lot width cannot be met at the rear of the lots and this will cure that problem.

Councilmember Umstattd stated that what she frequently hears from homeowners when they purchase a lot such as this, is the horror that they are not permitted to build a deck to the rear of the house and asked if they will be told of this prior to purchasing the house. Mr. Parks stated that he would like to ask the applicant to respond to that question. Mr. Parks stated that during review when the staff looks at the rear yard setback in relation to where the building foot print is, if there is less than 15 feet then a warning light goes off and a note is placed on the plans to make the potential owner aware that they cannot have a deck.

Mr. Rick Lanham, representative for the applicant stated that these are not walk out basement lots, when you walk out the rear entrance of the house you are only a couple

of feet from the ground and it is his understanding that if the deck is three feet or less off the ground it can extend past the setback line.

Mr. Brian Boucher, Zoning Administrator confirmed that if a deck is less than three feet above ground level it can extend to within five feet of the side or rear yard property line.

Chairman Glikas asked if the potential owner would be notified. He asked if he were to buy the house and take out a window on the second floor and place a sliding glass door there and then attempt to build a deck would it be permitted.

Mr. Lanham stated that he did not have an answer for that because he could not see anyone building a deck from the second story.

Mr. Boucher stated that the Ordinance states that they could build a deck to within 25 feet of the rear and side yard setback line, so if the owners wanted to build a deck from the second story they would be able to do that.

Commissioner stated that for the record she would like to hear Mr. Parks state that this is the best way to solve this problem and there are no other alternatives. Mr. Parks stated that staff has discussed this and they do feel that this is the best alternative.

Commissioner Cable stated that on Parcel 1162 there is a 70-foot frontage and that Parcel goes straight back and there is no additional 75 feet anywhere on the Parcel. Mr. Lanham stated that actually for this project the minimum lot width for this project is 65 feet not 75 feet. Mr. Parks stated that he was just using 75 feet as an example and he is sorry for any confusion his statement may have caused.

A motion was made to approve the application as submitted.

The motion was seconded and approved with all voting aye, including the Chair.

Zoning Items

ZMOA 00-07 – ZM 2000-04 – Expansion of H-1 Overlay District

Mr. Boucher stated that the Planning Commission held a public hearing on the expansion of the overlay district on October 5th and there were a number of issues that were raised at that public hearing and he would like to briefly address some of those issues.

Mr. Boucher stated that one of the questions was, as the historic district was expanded could some of the owner of properties who did not want to be in the historic district opt out of the expansion. He stated that in speaking with the Town Attorney they determined that that would seem to be the definition of spot zoning and that is not an acceptable practice in the Town.

Mr. Boucher stated that in speaking with people who are currently in the historic district, they are concerned that if some properties are permitted to opt out it may be fatal to the expansion as a whole because some people are not comfortable that their neighbors could opt out, yet they would then subject themselves to the requirements of the BAR in an effort to try to preserve the historic character of the neighborhood. He stated that giving a property owner the ability to opt out does not achieve the Town Plans goal of preserving these areas.

Mr. Boucher stated that a second issue that was brought up was the economic impact of inclusion in the historic district. He stated that he sent away to various jurisdictions to find studies and attached one from Fredericksburg, and what the studies uniformly show is that inclusion in a historic district over the long run increases the property values at a much faster rate than if you are not in a historic district.

Commissioner Kennedy asked if the historic district could be stopped short if a property owner did not want to be included. Mr. Boucher stated that the Commission could do that, however stopping it short has happened before and that is why staff is before the Commission now.

Councilmember Umstattd asked about the extension showing one structure cut in half. Mr. Boucher stated that it is across the property line and the barn was built prior to the existing zoning laws. He stated that the way that the Zoning Ordinance is interpreted, if part of the structure is in the historic district all of the structure is within the historic district.

Councilmember Umstattd stated that she is strongly opposed to forcing someone into a district against their will, where there will be increased financial burdens. She stated that she believes so strongly in this she is not going to say anything more.

Commissioner Cable stated that she wants to make sure that she understands everything. Since the historic district was initially created, there was a survey done in 1975 and that survey identified areas that were not originally in the historic district and recommended certain areas to be included and both of those areas are what are before the Commission at this time. Mr. Boucher stated that that was correct. Commissioner Cable also stated that in 1990 when the historic district was expanded action was not taken to include these properties at that time either. Mr. Boucher stated that that was correct. He stated that the areas that the Town is looking to include now were excluded by Council in 1990.

Commissioner Cable asked if the language in the Town Plan that is now including these properties was in the Town Plan in 1990. Mr. Boucher stated that it was. He stated that even though the Town adopted a new Town Plan in 1997 the goals remained essentially the same.

Commissioner Cable stated that she believes that the properties on South King Street are a gateway into the historic district and in her mind there is a natural line of demarcation.

Mr. Boucher stated that motions have been included in the packet should the Commission wish to vote either way on this item.

A motion was made to approve the application as submitted.

Commissioner Werner stated that this brings a great amount of pleasure to her. She stated that the Town has made a major investment in that part of the Town and she believes that this will increase the beauty of the gateway to the Town.

Commissioner Kennedy stated that this was a tough decision for him because of his relationship with parties involved, however this expansion makes sense to him and that is

The motion was seconded and approved with all voting aye, including the Chair.

Comprehensive Planning Items

B. SE 2000-08 – Loudoun Sport and Health Club

Mr. Parks stated that this item was before the Commission at its October 26th public hearing. He stated that the Commission was supplied with a revised packet on this item on November 1st and apologized for the lateness.

Mr. Parks gave a brief explanation of the application for the Commission. Mr. Parks stated that at the October 26th meet staff provided the Commission with a list of outstanding staff concerns, since that time staff has met with the applicant to address some of those concerns and that is the reason for the revised staff report.

Chairman Glikas asked if there are power lines along Fort Evans Road. Mr. Parks stated that there are and the Town has standards that have to be met once the development plan is submitted.

Commissioner Cable asked if the applicant, agreeing to all of the conditions, has submitted a letter. Mr. Randy Minchew, representative for the applicant stated that the conditions recommended by both the Planning Commission and staff is acceptable to the applicant. He stated that he has not submitted a letter stating that, but would be happy to do so tonight if necessary.

Commission Cable stated that she noted on the plat that it has been amended to reflect the limits of the current Special Exception, which she had asked for and believes that it is a more clear depiction of what the plat represents. She also noted that the applicant did provide for walkway crossings and sidewalk connection to the sidewalk

on Fort Evans Road and crosswalks for people walking to the facility would have a safe place to walk.

Commissioner Vaughan asked if the 36 inches in buffering that the staff has asked for would be a solid mass hedge going across the road frontage. Mr. Parks stated that it would be three feet on center.

Commissioner Vaughan asked if staff had heard from the adjacent property owners. Mr. Parks stated that staff has not. Commissioner Vaughan asked if they had been notified. Mr. Parks stated that they were notified by certified mail.

Commissioner Vaughan stated that it appears that the time for rescue response to the pool area has not been addressed and would like to know if it would be addressed at some point in the future. Mr. Parks stated that once the Special Exception process is over the applicants would submit a development plan with the same level of detail and at that time staff would receive the input from the appropriate referral agencies of which the Fire and Rescue Department is one. If it is determined that the approach did not meet safety requirements then some design change would have to be made to meet safety requirements.

Commissioner Schonberger stated that he was not able to attend the last meeting and would like Mr. Parks to explain how this project fits within the Special Exception criteria. Mr. Parks stated that listed under the Special Exception criteria for the R-6 zone, is Recreation Facility and this is a use that is tied to a recreation facility. It is staff's view that the parking lot is integral to the use as a recreation facility.

Commissioner Cable asked whether the ordinance for approval would read recreational facility or parking lot. Mr. Parks stated that it would read recreational facility parking lot.

Commissioner Kennedy stated he does not believe that this is the forum for the Planning Commission to discuss an item in the manner in which it has this application, he stated that he is aware that the Planning Commission no longer has worksessions, however, he believes that the Commission needs to trust the staff's recommendation on certain items.

Commissioner Werner asked where the water from the swale would be directed. Mr. Gauthier stated that that is not something that is addressed at this stage of the process, however, once a development plan has been submitted the Engineering Department will be looking at storm water management, which would include the swale.

A motion was made to approve the application as submitted.

The motion was seconded and approved with all voting aye, including the Chair.

C. SE 2000-10 – 14 Cardinal Park Drive

Mr. Parks asked the Commission to please bear with him, this is not his item, and he is stepping in for Lee Phillips who is out sick.

Mr. Parks stated that this Special Exception is for a small storage yard approximately 5,000 square feet to put a wholesale plumbing and heating distribution business on the site. He stated that the property is located in the I-1 Industrial Research Park District and that the outdoor storage areas are permitted by Special Exception. The standard is that no materials may be stored within required setbacks and all materials stored outside shall be adequately buffered and screened from adjoining properties and public right-of-ways.

Mr. Parks stated that in this particular case, given the surrounding uses that are similar in nature, and given the fact that a much larger storage yard was approved by the Town Council in May of this year within the same industrial park staff is recommending approval for this project. He stated that the Commission has six conditions that staff is recommending for this project.

Commissioner Cable stated that she would like to have a condition that states that there will be no hazardous materials stored on the site.

Commissioner Vaughan asked if the fence is a security fence. Mr. Parks stated he believes that it is more to hide the use than a security fence, however, he would have to check into that. Commissioner Vaughan stated that he would like to see the fence used as a buffer more so than a security fence.

Commissioner Werner stated that the staff report states that the fence proposed is a vinyl coated chain link fence and she believes that the fence needs screening and she does not want slats placed in the chain link fence.

Mr. Norman Browning, representative for the applicant stated that what was recommended to him was that he use a vinyl coated chain link fence. He stated that he would not have a problem with using either wood or vinyl slats on the fence to screen the use.

Mr. Browning stated that would be no hazardous materials stored on the site whatsoever.

D. SE 2000-11 – Jafari Auto Sales and Service

Mr. Parks stated that there are two aspects to this request, one is automotive sales and the other is automotive service. He stated that it is staff's recommendation that the automotive service use be approved, but not the automotive sales use, because of parking requirements. He stated that the application does not meet the parking requirements for vehicle sales facilities.

Mr. Parks stated that staff does recommend approval for the automotive service use and the recommendation does have certain Special Exception standards associated with it, which are outlined in Attachment 3 of the staff report.

Chairman Glikas stated that he is concerned with signage at this location and asked if there was any information staff could provide to the Commission on signage. Mr. Parks stated that off-site signage is not permitted, however they can have an on-site sign.

Chairman Glikas stated that he is concerned that the lighting would pose a problem for surrounding residential neighborhoods. Mr. Parks stated that this area is zoned non-residential, however staff always tries to insure that when a non-residential use is being permitted in an area that has some residential use, and lighting is being used, they always try to make sure that it has a very small impact on the residences.

Commissioner Cable asked if the service and sales facilities are stand-alone uses. She asked if the applicant would be satisfied with one or the other. Mr. Parks stated that he does not know the answer, however the applicant is present and may be able to answer that question.

Commissioner Cable stated that on the plat there is a note that there is a single-family dwelling unit on the site and asked if that would be used as a dwelling. Mr. Parks stated that it would not be used as a dwelling.

Commissioner Kennedy stated that he would like to let the Zoning Administrator know that he believes the property across the street from the property in question is a shambles and needs to be cleaned up and he would like the Zoning staff to look into it. Chairman Glikas stated that the property has been sold and will be cleaned up in the near future.

Commissioner Kennedy asked if there would be sidewalk in front of the business. Mr. Gauthier stated that one of the comments from the Engineering Department to the Planning Department was that the applicant provides ten feet of right-of-way dedication and full frontage improvements and that includes sidewalks.

Commissioner Werner stated that the staff report indicates that the business should be screened including the parking lot to the rear and she does not see reference to that on the plan, now does she see the type of screening that is proposed.

Commissioner Werner asked if the tree line would be saved on both sides. Ms. Jafari, applicant stated that as far as she is aware, there are only two or three large trees on the property.

Commissioner Cable again asked the question of whether the uses could be separated. Ms. Jafari stated that after speaking with staff they prefer to eliminate the sales and go forward with the service.

Commissioner Cable asked if the service would be associated with a specific type of car. Ms. Jafari stated that at this time, they do not have a specific type of car service in mind; it would just be general service.

Commissioner Schonberger asked if a complete plat had been submitted with the application. Mr. Parks presented that to Commissioner Schonberger. Ms. Jafari stated that when the development plan is submitted to the Town for review, a certified plat would be submitted.

Commissioner Vaughan asked if there would be any storage of chemicals on the site. Ms. Jafari stated that there would not be.

Commissioner Vaughan asked if the Town had a requirement with respect to auto repair and the storage of hazardous materials. Mr. Gauthier stated that the Town's Ordinance does not address the storage of petroleum products, nor does it address underground storage tanks, those would come under the Loudoun County Fire Marshall. He stated that when the applicant comes in with a development plan, all requirements set forth by the Town as well as the Fire Marshall for approval.

Commissioner Vaughan asked if frontage improvements are a part of the plan. Mr. Gauthier stated that on the plat there is a ten-foot right-of-way buffer that will be dedicated to street right-of-ways.

Commissioner Vaughan asked if there would be a specific space designated for storage of the inoperable vehicles. Mr. Parks stated that there is no space designated; they would not be restricted to a certain area.

Commissioner Werner stated that he plan shows a gravel driveway and asked if that would be paved in the future. Mr. Gauthier stated that that note depicts the existing condition and that the driveway will be paved.

Chairman Glikas stated that it is his understanding that the Commission would like to table this item to the November 16, 2000 meeting when Mr. Phillips can be present.

A. TP 1999-02 – Town Plan Amendment to Remove Davis Avenue from the Transportation Policy Map

Mr. Tompkins, Director of Planning, Zoning and Development stated that the Commission deferred action on this application in December of 1999 as requested by Tri-Commission, which is an unofficial Commission consisting of the Environmental Advisory Committee, the Recreation Advisory Commission and the Tree Commission. He stated that they are the body that requested that Council initiate this item and that is how it came before the Planning Commission approximately one year ago. Some of the reasons cited for deleting the road from the Town Plan were to preserve the environmental features and retaining undeveloped property for future park use.

Mr. Tompkins stated that since this application had come before the Commission last year, the Town has acquired the Failmezger property.

Chairman Glikas stated that it was his understanding that the Commission deferred the application until they heard from the Tri-Commission as to why they wanted the road removed.

Commissioner Schonberger stated that he would like to hear from the Tri-Commission. Mr. Tompkins stated that he would be happy to relay that message to the Commission and have them at the next meeting.

Commissioner Cable asked what part of the Failmezger property extends into or abuts the Davis Avenue Corridor. Mr. Tompkins stated that he did not have an answer for that question at this time; however, he would look into it and get back with them at the November 16, 2000 meeting.

Commissioner Schonberger stated that he believed that it would be a good idea to have someone from the Tri-Commission to come and give a little background information on this item and go over the pros and cons.

Commissioner Cable stated that she would like to have the minutes from those meetings. Mr. Tompkins stated that they were included in the pack for tonight's meeting.

Old and New Business

Mr. Tompkins stated that Mr. Phillips had put some information in the packets regarding the Stowers application and would like to know how the Commission would like to proceed. Commissioner Schonberger stated that he would like to wait to hear this application until Mr. Phillips can be present.

Commissioner Vaughan stated that he believes that the applicants would be better served if the Commission goes back to holding worksessions. He stated that his frustration is that the Commission has two meetings a month, however he is not getting home until after 11:00 p.m., he would much rather have meetings more frequently than have longer meetings.

Chairman Glikas stated that he agreed to discontinue the worksessions on a trial basis and he is in agreement with Commissioner Vaughan that the current meetings are going to late into the night.

Commissioner Cable asked if the Planning Department would be hiring new staff soon. Mr. Tompkins stated that the Department has been in non-stop interviews since several of the Planners left. He stated that the Town has hired a Planner II and a Chief of Comprehensive Planning, both will start in November.

Commissioner Cable stated that she personally likes the process of only having two meetings per month.

Chairman Glikas stated that he and Commissioner Vaughan work Monday through Friday and when the meetings run until 10:00 p.m. or 11:00 p.m. it makes it very difficult to get up and go to work the next morning.

Chairman Glikas stated that the lack of staff is not the problem the problem is the process. He stated that if the Commission could come to the meetings, rely on staff's comments and ask questions that have not been addressed by staff the meetings would run more smoothly. He stated that he believes that the Commission is laboring on every item and the Commission is constantly asking questions that staff have already answered. Chairman Glikas stated that the Commission has to trust that staff has done their job and move on.

Commissioner Kennedy stated that he would like the Commission to pick a course of action either accept staff's recommendation and move on or go back to having the work sessions.

Chairman Glikas stated that he is not asking that the Commission cut corners, but he would like the Commission to think about their questions prior to the meeting, or if Commissioners have questions that staff can answer prior to the meeting they should do so.

Commissioner Werner stated that she believes that each Commissioner should do their homework before coming to the meeting, because she finds that a lot of the times the questions that are asked could be answered simply by reading the packet.

Commissioner Werner stated she believes that minutes are very important. She stated that she is concerned about how the decisions that the Commission makes are being transmitted to the Town Council. She asked if the minutes are available the next day for the Council to review. Commissioner Cable stated that she has asked that question in the past.

Chairman Glikas stated that he has asked Mr. Tompkins if he can work out a retreat where the Planning Commission can get together and talk these issues out.

Commissioner Werner stated that she thinks that the retreat is a good idea, however she did not receive an answer to her question about how the minutes are transmitted. Mr. Tompkins stated that at this time, the minutes are not transmitted to the Council. He believes that it would be a good idea to do that in the future. Mr. Tompkins stated that historically staff gave the Council a clear report of what the Planning Commission's recommendations have been.

Chairman Glikas stated that he would like to go back to discussing the need for worksessions. He would like the Commission to agree to be a little more diligent in asking staff questions prior to the hearing.

Commissioner Werner stated that every time she calls staff with a question they have thanked her for not waiting until the meeting to bring up that question. She stated that on the other side of the coin they need to receive their packets more than two days prior to the meeting, it is not an acceptable lead-time because people do have lives. Chairman Glikas stated that the packets were coming out earlier until the loss of four of the Planning Department's staff.

Commissioner Vaughan stated that he does not like to have the applicants have to sit in the audience until the Commission gets to their item at 10:00 p.m..

Commissioner Schonberger stated that when the Commission was holding worksessions, each work session lasted until approximately 9:00 p.m. and now that the Commission is only holding public hearings they are finishing by 10:00 p.m.. He believes that the Commission is managing their time during the meetings well.

Commissioner Schonberger stated that he did not receive his packet this week until Tuesday and given what he does, he does not have time to give it as much attention as it deserves before the meeting on Thursday. Commissioner Schonberger stated that he would like to see the packets come out on Friday or come in segments to the Commissioners. He stated that he did not get to read the information in his packet until today.

Commissioner Cable stated that she believes that the questions that everyone asks helps the entire Commission make a decision and she wants to hear the question asked and she wants to hear the answer given. She stated that there is also the aspect that this is a public record and everything said should be on the public record. She stated that there are times when she asks questions that she already knows the answer to, she just wants the answer on the public record and that is why the minutes are important to her. Commissioner Cable stated that if she asks a question she wants the question and the answer in the minutes.

Commissioner Werner stated that if sometimes if those questions are asked of staff prior to the hearing all of the little details could be worked out and the staff will say please ask that question so that it will be on record.

Chairman Glikas stated that he would like for the entire Commission to work towards shortening the meetings, but he does not want the Commissioners to sacrifice the integrity of the Commission.

Commissioner Schonberger stated that it is his recommendation that the packets be delivered on Friday instead of Monday. Mr. Tompkins stated that he believes that this dialogue is excellent.

Commissioner Vaughan stated that he believes that it is unreasonable to ask staff to have the packets to the Commissioners on Friday. Mr. Tompkins stated that he does not believe that it is unreasonable at all, he believes that it is a goal that the Department, once it is fully staffed can strive for and achieve.

Mr. Tompkins stated that he would like the Commission to understand that the staff does not handle just Planning Commission. The Department also staffs the Town Council, Board of Zoning Appeals, Board of Architectural Review and Tree Commission in addition to the other general work that the Department handles.

Commissioner Schonberger stated that even if the staff could send the Commissioners what they have completed on the Friday prior to the meeting it would be helpful.

Mr. Tompkins stated as an example that Mr. Parks is not only handling subdivisions and site plans, he also has four special exceptions and two rezonings at this point.

Mr. Parks stated that he understands the position that the Planning Commission is in and he believes that it is unfair for the Commission to be put in the position of receiving the packets on Monday or Tuesday prior to the meeting. He stated that receiving a partial packet may be an option in the future, however with this particular packet every item that he prepared was prepared the night before the packets went out.

Mr. Parks stated that he believes that this is a short-term problem. Once the Department is fully staffed that will be additional manpower that the Department does not have right now.

Commissioner Kennedy stated that he has been looking at Article 7 of the Planning Commission by-laws that states “it is the Town Manager’s responsibility to ensure and supervise the adequate staffing and administrative support necessary for the Planning Commission to conduct business”. He stated that he is sure that the other Planning Commission members have heard the rumors about the staff not receiving overtime and are being told to take compensatory time within pay period that it was earned and his question is when are the staff members supposed to take that overtime. He stated that the Town is losing staff and they are going to lose more if they do not address these issues. He would like to know what is being done.

Commissioner Kennedy stated that he would like the Planning Commission to approach the Town Manager and ask why the process is taking so long. He stated that it is clear in Article 7 of the by-laws that it is the Town Manager’s responsibility to let the Commission know what is being done.

Commissioner Schonberger suggested that the Commission take some time to reflect on what has been discussed and take these discussions up at another time.

Committee Reports

The Chairman asked for a motion to adjourn. It was moved and seconded. The motion passed. The meeting was adjourned.